

REMARKS

Claims 1-36 are pending and stand rejected. All pending claims are believed to be allowable over the references cited by the Examiner as discussed below. Accordingly, a Notice of Allowance for the present application is respectfully requested.

Rejections Under 35 U.S.C. §103(a)

Claims 1, 9, 14, 20, 24, and 30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yokell (USPN 6,507,870) in view of Bayeh (USPN 6,012,098).

However, each of independent claims 1, 14 and 24 generally recites that the communication is *between two service providers* in connection with providing a high speed network access service and that the first and second service providers cooperate to provide high speed network access service to an end subscriber. The service providers communicate with each other using the *predefined request document tag definition* and the *predefined response document tag definition* as generally recited in the claims. Without the predefined request and response document tag definitions, the two service providers cannot have such automated communication therebetween without manual intervention.

In contrast, Yokell merely describes a web interface for an end subscriber to order DSL service. Only one service provider is involved in Yokell. In Yokell, only one service provider is involved in providing the web interface through which the end subscriber may enter information to qualify for and subscribe to DSL service and the same service provider is involved in receiving and processing such information from the end subscriber. In other words, Yokell's system and process does not involve cooperation between two service providers. Thus, not only is there no motivation to add the predefined request and response document tag definitions to the system of Yokell as only one service provider is involved in Yokell's process, but the combination of Yokell and Bayeh does not contain all the elements of the claimed inventions.

The Examiner contends that Yokell discloses a system where a customer can order DSL from a DSL service provider using a web-based ordering tool. The Examiner further contends that Yokell anticipates the interactions between two service entities, i.e., the DSL service provider and the ISP. In particular, the Examiner maintains that Yokell allows the customer to select the desired ISP from a list of available ISPs (col. 23, lines 49-53; module 90, FIG. 5). The

Examiner thus concludes that Yokell anticipates that there is communication between the DSL service provider and ISP to collectively provide the services desired by the customer.

However, each of independent claims 1, 14 and 24 does not merely claim a web interface. Rather, each of independent claims 1, 14 and 24 explicitly recites that the service providers, e.g., the DSL service provider and the ISP, communicate using *predefined request and response document tag definitions*. The predefined request and response document tag definitions enables the two service providers to have *automated* communication therebetween, as recited in the claims, i.e., without manual intervention.

For example, Yokell discloses in FIG. 4 that “**If you [the end subscriber] select an ISP other than US West, you will need to contact that ISP to sign up for the specific package that is compatible with MegaBit Service.**” (FIG. 4, second to last paragraph, emphasis added). In other words, if the end subscriber selects an ISP that is different from the DSL service provider, the end subscriber must contact the ISP directly and the web-interface merely stores that information for the end subscriber via the web interface.

As Yokell only discloses a web-based mechanism for taking information from potential end subscribers, such a mechanism is a far cry from an *automated* communication between two service providers utilizing *predefined request and response document tag definitions*. Thus Yokell clearly does not disclose *automated* communication between two service providers using *predefined request and response document tag definitions*.

Withdrawal of the rejection of independent claims 1, 14 and 24 as well as claims dependent therefrom under 35 U.S.C. §103(a) is respectfully requested.

Claims 2-6, 15-19 and 25-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yokell in view of Bayeh and further in view of Barry (USPN 6,615,258). In addition, claims 7, 8, 10-13, 21-23, and 31-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yokell in view of Bayeh and further in view of Chen et al. (USPN 6,507,856).


However, these claims dependent various from independent claims 1, 14 and 24 which are believed to be patentable over Yokell in view of Bayeh as discussed above. Thus, withdrawal of the rejection of dependent claims 2-8, 10-13, 15-19, 21-23, 25-29, and 31-33 under 35 U.S.C. §103(a) is respectfully requested.

CONCLUSION

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

In the unlikely event that the transmittal letter accompanying this document is separated from this document and the Patent Office determines that an Extension of Time under 37 CFR 1.136 and/or any other relief is required, Applicant hereby petitions for any required relief including Extensions of Time and/or any other relief and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. **50-1217** (Order No. **COVDP008**).

Respectfully submitted,



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